

1 Hon. Salvador Mendoza, Jr.
2

3 Marc Rosenberg
4 LEE SMART, P.S., INC.
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9 Attorneys for Defendants

10
11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF WASHINGTON AT SPOKANE

13 ALEX MCVICKER and MARK
14 MOSS, individually and on behalf of
15 all others similarly situated,

16 Plaintiffs,

17 v.

18 GIGA WATT, INC.; GIGAGWATT
19 PTE LTD.; CRYPTONOMOS PTE.
20 LTD.; DAVE CARLSON; LEONID
21 MARKIN; and EDWARD
22 KHAPTAKHAEV, a foreign
23 corporation,

24 Defendants.

25 RAYMOND BALESTRA,
26 individually and on behalf of all others
27 similarly situated,

28 Plaintiffs,

29 v.

30 GIGA WATT, INC., ET AL.,

31 Defendants.

32 No. 2:18-cv-00103-SMJ

33 (Consolidated with
34 No. 2:18-cv-00100)

35 DECLARATION ATTACHING
36 WHITE PAPER REFERRED TO
37 AND RELIED ON IN
38 PLAINTIFFS' COMPLAINT

1 Marc Rosenberg hereby declares as follows:

2 1. I am an attorney for Giga Watt, Inc. Dave Carlson, Leonid Markin,
 3 and Edward Khaptakhaev in the above captioned matter. I am competent to
 4 testify and do so from personal knowledge.

5 2. In their Amended Complaint, Plaintiffs repeated refer to, rely on, and
 6 describe at length a document called the “White Paper.” (ECF No. 22 at ¶¶ 10,
 7 12, 17, 20, 35, 63, 68, 69, 72, 74, 75, 80, 90, 100).

8 3. The White Paper was posted by a company called Cryptonomos,
 9 and can be found on the website <https://wtt.cryptonomos.com/white-paper.pdf>.

10 4. On November 21, 2018, I went to the website provided above.
 11 I downloaded a copy of the White Paper from the website provided above.

12 5. A true and correct copy of the White Paper referred to in Plaintiffs’
 13 Amended Complaint, and obtained from the website referred to above, is attached
 14 hereto as Exhibit 1.

15 I declare under the penalty of perjury under the laws of the United States of
 16 America that the foregoing is true and correct to the best of my knowledge.

17 SIGNED in Seattle, Washington this 21st day of November, 2018.

19 By:s/ Marc Rosenberg

20 Marc Rosenberg, WSBA No. 31034
 21 Of Attorneys for Defendants
 Giga Watt, Inc., Dave Carlson, Leonid
 Markin and Edwrd Khaptakhaev

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DECLARATION OF SERVICE

I hereby certify that on this date I filed the foregoing document with the Clerk of the Court using the court's ECF filing system, which will automatically serve the filing on registered users.

Roger M. Townsend rtownsend@bjtlegal.com

Barry M. Kaplan bkaplan@wsgr.com, rcarter@wsgr.com

Dated this 21st day of November, 2018 at Seattle, Washington.

LEE SMART, P.S., INC.

By: s/ Marc Rosenberg
Marc Rosenberg, WSBA No. 31034
Of Attorneys for Defendants
Giga Watt, Inc., Dave Carlson, Leonid
Markin and Edwrd Khaptakhaev

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DECLARATION ATTACHING WHITE PAPER - 3
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